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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,751	12/13/2000	Hiroaki Kubo	15162/02900	6671

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EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/735,751	KUBO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tuan V. Ho	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

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1. Applicant's arguments filed 6/16/05 have been fully considered but they are not persuasive.

With regard to claim 7, Applicant s argue that "claim 7 is directed to a system where the user can input a display sequence rule that is separate and independent for the storage order of the image on the media", page 7 of the remarks. In response to the arguments, the examiner notes that Ohmori discloses in col. 5, lines 17-20, that a user can display an image in memory 84 memory card 40 in any order the user wants to display. In other words, the user can display first an image in memory 84 or memory card 40 and the sequence of display is selected by the user and the selected sequence is independently from the order of recording of images in the memories.

With regard to claim 1, Applicants argue that "there is simply no suggestion in Ohmori and/or Watanabe to take the computer features of Watanabe and combine them with the camera features of Ohmori to arrive at the present invention. In response to the arguments, the examiner notes that Watanabe also teaches using a digital camera system that includes a digital camera and a computer for displaying and storing image data. Watanabe suggests in col. 5, lines 1-21 and Figs. 5 and 7, that display 12 can display image data stored in different memories. As a result, a user easily reviews the images that are stored in

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a particular memory and the availability of memory space and thereby to improve the versatility of the camera system. It should be noticed that the reason for combining the Ohmori and Watanabe references is clearly discussed in paragraph 2 of the last Office action.

With regard to claims 2-4, 5, 11 and 12, the same arguments are discussed with respect to claim 1.

For the above reasons, the rejection is repeated.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 10, 11, 12 and 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmori in view of Watanabe et al.

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With regard to claim 5, Ohmori discloses in Figs. 7, 8 and 12, a digital camera that comprises the reader that can read image data from two or more recording media (display controller 82, receiving control signals from digital camera 12, specifically read image data from image memory 84 or memory card 40 so as to display the image data upon a user's selection, Col. 4, lines 35-67 and Col. 5, lines 23-29; it is noted that accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking, Col. 3, lines 63-64, Fig. 5, Col. 4, line 41), display (display 28, Col. 4, line 45), except that the display controller causes the display to display essentially simultaneously a first image and second image from the recording media.

Ohmori does not explicitly disclose any first and second images simultaneously to be displayed on display 28. However, Watanabe et al teaches using a digital camera system that can display information related to each of two recording mediums (icon 38 or 37) and images (windows 39 and 34) corresponding to the recording medium as shown in Figs. 5 and 7, col. 5, lines 1-21). As a result of displaying the image information and location of the images, a user easily determines where each of images is stored and thereby to easily control file management.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify display controller 82 of the Ohmori camera as the same fashion as disclosed by Watanabe et al so as to obtain a display controller that causes display 28 display simultaneously a first and second images in memories 128 or 38 and information related to recording medium corresponding to the images. That is because the display of two images simultaneously and its location would allow a user to select and observe different images in different recording medium and thereby to easily select a desired image to erase, transfer or store.

Claim 6 recites what was-discussed with respect to claim 5. It should be noted that the icons 38 and 32 on display 12 of Watanabe et al indicate which recording medium the images is stored therein.

Claim 10 recites what was previously discussed with respect to claim 5.

Method claim 11 recites what was discussed with respect to claim 5.

Claim 12 recites what was discussed with respect to claim 5.

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With regard to claim 1, claim 1 recites what was discussed with respect to claim 5; where Watanabe et al disclose displaying each of images and its associated location.

With regard to claim 2, Watanabe discloses the indicia (icon 38 and 32).

With regard to claim 3, Ohmori discloses in Fig. 12, a digital camera that comprises the two card slots (Ohmori discloses in Fig. 12, that unit 18 of module 10 can be modified so as to accept a second card slot 118, col. 6, lines 40-41). With regard to claim 4, Watanabe teaches the information which specifies the recording medium (icon 32 or 38).

Claim 14 recites what was discussed with respect to claim 5. It should be noted that Ohmori discloses the body (camera housing 12).

Claims 15-17 recites what was discussed with respect to claims 2-4.

Claims 18 and 19 recite what was discussed with respect to claims 5 and 6. Noted that Ohmori discloses the body (camera housing 12).

Claims 20 and 21 recite what was previously discussed with respect to claims 1 and 5.

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2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-9 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohmori (US 5,790,193).

With regard to claim 7, Ohmori discloses in Figs. 7, 8 and 12, a digital camera that comprises the reader (display controller 82, receiving control signals from digital camera 12, specifically read image data from image memory 84 or memory card 40 so as to display the image data upon a user's selection, col. 4, lines 35-67 and col. 5, lines 23-29; it is noted that accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking, col. 3, lines 63-64, Fig. 5, col. 4, line 41), display (display 28, col. 4, line 45), display controller that, by handling a plurality of items of image data recorded in the two recording media in sequence based on a prescribed rule (display controller 82 reads image data from memories 84 or 40 so as to display the image data on

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display 28; the user specifies an image stored in memories 84, or 40 to be displayed by using buttons "Advance" 30 or "Reverse" 32, col. 5, lines 60-67) and causes the display to sequentially display the plurality of images in accordance with the sequence (since the user can specify image data stored in memories 84 or 40 to be displayed, the user can select to display the image data in the above sequence such as image data of memory 40 is first selected and the one in memory 84 is secondly selected).

With regard to claim 8, Ohmori discloses ascending or descending order (buttons 30 or 32).

With regard to claim 9, Ohmori discloses ascending or descending order (buttons 30 or 32 is used to advance or reverse images stored in the memories; it is noted that there is inherently an indication that a user can identify at which memory the image is displayed).

With regard to claim 13, Furthermore, Ohmori discloses in Fig. 10A, an image display method that comprises the steps of specifying a rule for ordering (using buttons 30 and 32, col. 5, lines 60-67 and col. 6, lines 1-17), displaying an image (display controller 82 displays the selected image), accepting a destination to display either a next image or a prior image (Advance button 30 or Reverse button 32 generates a specific rule so that the display controller displays next images or

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prior images), an displaying (monitor 28 displays a next or prior image in accordance with the signals from controller 82).

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, David Ometz can

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be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is (572) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

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